

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **DeWitt, Jr. et al.**

Serial No.: **10/757,269**

Filed: **January 14, 2004**

For: **Method and Apparatus for
Autonomically Initiating Measurement
of Secondary Metrics Based on
Hardware Counter Values for Primary
Metrics**

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Group Art Unit: **2181**

Examiner: **Lai, Vincent**

Attorney Docket No.: **AUS920030549US1**

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PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the or Final Office Action dated October 10, 2006 finally rejecting claims 1-29.

A fee of \$500.00 is believed to be necessary. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. In the event that any additional fees are required for the prosecution of this application, please charge any necessary fees to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and the fee for this extension should be charged to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

/Francis Lammes/
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